

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WEE ANN NGIAN, *individually and on behalf of  
all others similarly situated*,

Plaintiff,

**TRANSFER ORDER**  
21-CV-5976 (MKB)

v.

FACEBOOK, INC. *n/k/a* META PLATFORMS,  
INC., MARK ZUCKERBERG, and DAVID M.  
WEHNER,

Defendants.

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MARGO K. BRODIE, United States District Judge:

Plaintiff Wee Ann Ngian commenced the above-captioned securities class action on October 27, 2021, against Defendants Facebook, Inc., now known as Meta Platforms, Inc. (“Meta”), Mark Zuckerberg, and David M. Wehner, alleging that Defendants violated sections 10(b) and 20(a) of the Securities Exchange Act of 1934, 15 U.S.C. §§ 78j(b), 78t(a), and U.S. Securities and Exchange Commission Rule 10b-5, 17 C.F.R. § 240.10b-5, by making materially false and misleading statements to persons and entities who purchased the publicly traded securities of Meta between November 3, 2016 and October 4, 2021. (Compl. ¶¶ 1–2, 35, Docket Entry No. 1.) On December 28, 2021, non-party movants Ohio Public Employees Retirement System (“Ohio PERS”) and PFA Pension, Forsikringsaktieselskab (“PFA Pension”) sought to transfer this action to the Northern District of California.<sup>1</sup> (Ohio PERS and PFA Pension’s

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<sup>1</sup> Ohio PERS and PFA Pension also moved for appointment as lead plaintiff and approval of their selection of lead counsel because they believe that they have the largest financial interest in the relief sought by the class in related actions pending in the Northern District of California. (Ohio PERS and PFA Pension Mot. to Appoint Couns. (“Ohio PERS and

Letter to the Court dated Dec. 28, 2021 (“Ohio PERS and PFA Pension’s Letter”), Docket Entry No. 23.) Plaintiff does not oppose the transfer of the case to the Northern District of California. (Pl.’s Letter to the Court dated Jan. 4, 2022 (“Pl.’s Letter”), Docket Entry No. 26.) Defendants also consent to the transfer of the case to the Northern District of California. (Defs.’ Letter to the Court dated Jan. 4, 2022 (“Defs.’ Letter”), Docket Entry No. 27.)

Because all parties consent to transfer, (Pl.’s Letter; Defs.’ Letter), the Court transfers this action to the United States District Court for Northern District of California pursuant to 28 U.S.C. § 1404(a).

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PFA Pension Mot.”), Docket Entry No. 19; Mem. in Supp. of Ohio PERS and PFA Pension Mot., Docket Entry No. 20.)

KBC Asset Management (“KBC”) also moved for appointment as lead plaintiff and approval of their selection of lead counsel because it claims the greatest loss under the class period set forth in the Complaint, (KBC Mot. to Appoint Couns. (“KBC Mot.”), Docket Entry No. 14; Mem. in Supp. of KBC Mot., Docket Entry No. 15), but submit that the Northern District of California is the appropriate forum to hear this action and acknowledge that Ohio PERS and PFA Pension claim the greatest loss under the class period alleged in the actions pending in the Northern District of California, (KBC’s Letter to the Court dated Jan. 3, 2022, Docket Entry No. 25). Because the parties agree to transfer this action to the Northern District of California, the Court renders no opinion on these issues.

Accordingly, the Court directs the Clerk of Court to transfer this case to the United States District Court for the Northern District of California. The Court offers no opinion on the merits of the action. The decision on the pending motions for appointment as lead plaintiff and approval of lead counsel pursuant to Federal Rule 23 and section 21D(a)(3)(B) of the Securities Exchange Act is reserved for the transferee Court.<sup>2</sup> The Court waives the provision of Local Rule 83.1, which requires a seven day stay. No summons shall issue from this Court. The Clerk of Court is directed to close this case.

Dated: January 6, 2022  
Brooklyn, New York

SO ORDERED:

s/ MKB  
MARGO K. BRODIE  
United States District Judge

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<sup>2</sup> See Pl.'s Mot. to Appoint Couns. ("Pl.'s Mot."), Docket Entry No. 11; Mem in Supp. of Pl.'s Mot., Docket Entry No. 12; Ohio PERS and PFA Pension Mot.; KBC Mot.